

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"USE OF PROTEASOME INHIBITORS TO TREAT DRY EYE DISORDERS"

described and claimed in the foregoing specification, that this application in part discloses and claims subject matter disclosed in the earlier filed pending application, Serial No. 10/150,191 filed May 17, 2002.

(Attorney Docket No. 2149A) the specification of which:

(XX) is attached hereto.

() was filed by an authorized person on my behalf on _____ as
Application Serial No. _____ and was amended on _____
_____. (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

Pursuant to C.F.R. Section 1.56(a) I acknowledge my duty to disclose information of which I am aware that as to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same

was ever known or used in the United States of America before my invention thereof or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that said common subject matter has not been patented or made the subject of an inventor certificate issued before the date of said earlier application in any country foreign to the United States of America or on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and that no application for patent or inventor certificate on said invention has been filed by me or my representatives or assigns in any country foreign to the United States of America.

I further acknowledge my duty to disclose information as to the subject matter of this application which is not common to said earlier application, in which case I do not know and do not believe that the same was ever known in the United States of America before my invention thereof or patented or described before my invention thereof, or more than one year prior to the date of this application, or in public use or on sale in the United States of American more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor certificate issued in any country foreign to the United States of America or on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application; and that no application for patent or inventor certificate on said invention has been filed by me or my representatives or assigns in any country foreign to the United States of America. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint James A. Arno, Reg. No. 26,145; Gregg C. Brown, Reg. No. 30,613; Barry L. Copeland, Reg. No. 34,801; Jeffrey S. Schira, Reg. No. 34,922; Patrick M. Ryan, Reg. No. 36,263; David Lee, Reg. No. 39,743; Teresa J. Schultz, Reg. No. 40,526; and Armando Pastrana, Jr., Reg. No. 44,999 of ALCON, 6201 South Freeway, Fort Worth, Texas 76134; my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

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Docket No. 2149A